

***Visiting Between Children in
Care and Their Families:
A Look at Current Policy***

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Introduction

Visiting between children in care and their families is an area in which the National Resource Center for Foster Care & Permanency Planning (NRCFCPP) provides technical assistance, training, and information services to the states in response to the Child and Family Services Review process. To facilitate the provision of these services, the Resource Center contracted with the author for a study of the states' current policies and guidelines regarding visiting between children in care and their parents, siblings, extended family members, and others significant in the child's life. The influence of policy upon practice has been well documented. For example, one study found that having in place an agency policy that specified minimum parent-child visit frequency "resulted in the development of visiting plans that complied with the minimum standard required by the agency for visit frequency. . . Caseworkers with neither agency policy nor norms refer to their own personal guidelines regarding visit frequency" (Hess, 1988:315,323).

The author contacted foster care managers in all states in July 2002 with a description of the NRCFCPP study and a request to participate. Those not responding were contacted again by both telephone and email with a request for their participation. By the end of November 2002, responses had been received from 74% (37) of the states. Thirty-four foster care managers or their designees completed a telephone survey regarding the nature of their state's policies. A copy of the state's policy and procedures has been received from all but five of the 37 states, making it possible to confirm and elaborate on information from the telephone survey. All materials forwarded by responding states as illustrative of the policies discussed in the telephone survey were included in the analysis and are referred to in this report as policy and procedures. The forwarded materials included pages from policy manuals and administrative codes, appendices, administrative memos, excerpts from policy embedded in email to the author, brochures developed for families with children in care, and materials not labeled.

The content analysis of the states' policies regarding visiting between children in care and their families indicates a wide variation in both the nature of requirements and in the degree of specificity of requirements. Some states' policies provide extensive guidance, discussing a range of issues related to visit planning, implementation, and evaluation. Other states' policies are brief, providing very limited guidance to agency staff, foster parents, families of children in care, and others. In addition, analysis indicates that when guidance is given in a particular area, such as visit location, states may emphasize different actions and priorities.

This report provides detailed information regarding the study findings, excerpts from the responding states' policies that provide illustrations of clear and specific policy statement or that illustrate differing ways of addressing a content area, and recommendations concerning enhancement of the states' visiting policies. Please note that specific policy citations, including page numbers, are not provided. Many of the statements provided by responding states were excerpted from larger documents and forwarded without citation information.

The Purposes of Visiting

Consistently, the primary purposes of visiting have been identified as maintaining parent-child and other family attachments and reducing the sense of abandonment that children experience at placement (Beyer, 1999; Blumenthal & Weinberg, 1983; Fahlberg, 1979; Fanshel & Shinn, 1978; Haight, Black, Workman, & Tata, 2001; Haight, Kagle, & Black, 2003; Hess, 1981, 1982, 1987; Hess & Proch, 1988, 1993; Littner, 1975; Mapp, 2002; McFadden, 1980; Weinstein, 1960; White, 1982). In addition, several researchers have found a relationship between parent-child visiting and children's well-being while in care. Children in care who are visited frequently by their parents are more likely to have high well-being ratings and to adjust well to placement than are children less frequently or never visited (Borgman, 1985; Cowan & Stout, 1939; Fanshel & Shinn, 1978; Weinstein, 1960).

Visiting has also been found to be strongly associated with the outcomes of placement, particularly family reunification, and with length of stay in care. Children who are more frequently visited are more likely to be discharged from placement (Davis, Landsverk, Newton & Ganger, 1996; Fanshel, 1982; Fanshel & Shinn, 1978; Lawder, Poulin, & Andrews, 1985; Milner, 1987; Sherman, Neuman & Shyne, 1973) and to experience shorter placement time in months (Mech, 1985). The benefits of parental visiting reported by Davis et al. (1996) are particularly compelling. They report that, in a study sub-sample of 922 children 12 years old or younger who entered foster care in San Diego and remained in care for more than 72 hours, after up to 18 months in care, 66% of the children were reunified with their families. Just over a third (34%) had other permanency planning outcomes. In the logistic regression model predicting family reunification, "The .10 odds ratio indicates that when the mother visited as recommended the child was approximately 10 times more likely to be reunified" (p. 375). These researchers conclude that

the evidence gathered by the current and other studies of the crucial importance of parental visiting speaks loudly for even stronger allocations of fiscal and professional resources to foster care practice in order to maximize the benefits inherent in parental visiting (p. 381).

In addition, in 1996 Farmer reported an association between frequent visiting prior to return and successful (i.e., lasting) reunification. Thus, frequent visiting has consistently been found not only to benefit children in care emotionally, but also to contribute to the achievement of permanency for them.

Statements of the Purpose of Visiting in Policy

Many of the policies reviewed in this study identify the benefits of visiting described above. For example, the first section of one state's visiting policy clearly describes multiple benefits for children, parents, and the agency:

It is a fundamental right for children to visit with their parents. The relationship developed by the child with the parent is one of bonding, dependency, and being nurtured, all of which must be protected for the emotional well-being with the child. It is of extreme importance for a child not to feel abandoned in placement by either the child's parents or by other siblings and for a child to be reassured that no harm has befallen either parent or siblings when separation occurs... Visitation for a child is an opportunity for reconnecting, and reestablishing the parent/child relationship. For the Division, visitation is to be a time for assessing that relationship. For parents, visitation is an excellent time for parents to learn and practice new concepts of parenting and to assess their own ability to parent . . . Above all, visitation provides the necessary element for return of the child to the parent home. It maintains the parent-child relationship. Without this relationship, there can be no successful return home. (Indiana).

Maine further elaborates the objectives of visiting by permanency goal. In addition to those purposes associated with child well-being in care and with reunification, Maine's policy identifies benefits for children in long term foster care, including

- to help children who are about to age-out of the system or who are likely to return to their biological family try to re-establish a relationship with their family, understand the safety and risk factors that may still exist in that family, and understand their parent(s)' capacity or lack of capacity to change;
- to give children the opportunity to develop skills to recognize threats to their safety, protect themselves, and monitor their own emotions, reactions, and behaviors as they near adulthood; [and]
- to help a child recognize his or her own needs versus the family's needs and to help a child recognize his or her feelings of loyalty and obligation to that family.

In addition, Maine's policy identifies objectives of visiting for children with the permanency goal of adoption:

- to offer an opportunity for a child and birthparent(s) to express good-bye to each other, recognizing that a child may eventually reconnect with his or her biological family;
- for the parent to accept, demonstrate, and/or communicate responsibility for the behavior that is preventing the child from being able to return to his or her own home; [and]
- for the parent to send the child a supportive message to move on to a new permanent family.

Policy Content Areas

This report is organized around 30 content areas that responding states currently address in policies related to visiting of children in care by family members and others. These content areas are outlined in the Appendix in a format that can serve as a “check-list” for use in the review of state, county, or agency visiting policy and procedures.

Only 7 of the 30 content areas are currently addressed by half or more of the responding states. These are:

- the requirement for a written visiting plan, addressed by 78.4% of the states;
- documentation of the visiting plan in the case record, also addressed by 78.4% of the states;
- who may participate in visits, addressed by 73.0% of the responding states;
- how frequently visits should occur, addressed by 70.3%;
- agency and/or caseworker responsibilities regarding visits, addressed by 62.2%;
- circumstances under which visits should or could be limited or terminated, addressed by 56.8%; and
- where visits should or may occur, addressed in 54% of the responding states’ policies.

Written Visit Plans

Over three-quarters (78.4%) of the states responding to the visiting policy survey require that a written visit plan be developed and placed in the agency record. The importance of a written visiting plan is supported by research findings that have determined that written plans shape parents’ visiting patterns. Based on a systematic review of agency case records, Proch and Howard (1986) reported that

most parents who were scheduled to visit did so, and most visited in compliance with the schedule specified in the case plan. Parents who did not have a visiting schedule or who were told to request a visit when they wanted one did not visit (p. 180).

A child’s visiting plan serves as an agreement between the agency serving the child in placement and the child’s family. It clarifies the structure of visiting, logistics, necessary tasks, and the roles and responsibilities of placement caregivers, family members, and agency staff. A written visiting plan reassures children and their families that the agency is invested in protecting family relationships. It also identifies possible consequences should the plan not be adhered to.

When a Plan for Visiting Must be Developed

States often require that the written visiting plan, typically included in the child’s case plan, be developed within the first 30 or 60 days of placement. Several states require that it be

developed more quickly. For example, one state's policy reads "Department policy requires that a visitation plan be developed, with parental and child's input, either: before placement, or within three (3) days after a planned placement, or within ten (10) days after an emergency placement" (Illinois).

Development of Visiting Plans

Many states provide mandates or guidelines regarding both the *process* and the *content* of the visit plan. Those specifying process typically require that the plan should be developed by agency staff with the involvement of family members, children who have the capacity to contribute to the process, placement caregivers, and relevant others, such as a child's therapist. For example, Arizona's Procedures Guide states "involve family members, the child, if age appropriate, and caregivers in developing the contact and visitation plan." New Jersey policy states that:

the visitation plan shall be developed through negotiation and agreement by the division representative (Case Manager), the parents, the foster child, and other parties involved, such as relatives, a former foster family interested in visiting the foster child, siblings, and their representatives. The Division representative shall encourage the foster parent to participate in developing the visitation plan. The foster parent shall be consulted for information pertinent to visitation.

Content of Visiting Plans

With regard to the content of the plan, Nebraska's policy states

The visitation plan will address but is not limited to such issues as (1) Dates, times and location of visits; (2) How arrangements will be made; (3) Who will be present; (4) Arrangements for monitoring or supervision, if any; (5) Plan for handling of emergency situations; and (6) Procedures for handling problems with visitation. (This must include a requirement that the worker shall respond to the family or foster care provider.).

Pennsylvania's guidelines declare that visiting plans should include

- case goals
- identifying information regarding the family members and others relevant to the visiting plan
- the dates for which the plan is effective
- persons to be included in visits
- visit frequency
- visit length and time of visits
- visit location
- visit supervision/activities
- transportation arrangements
- visit conditions (e.g. specific behaviors that must or must not occur)
- agency services to support visiting
- the signature of persons participating in plan development and the date of the planning meeting.

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In addition, many states also require a plan for sibling visits. Illinois' policy, for example, states

A sibling visitation plan, specifying the frequency of sibling visits, shall be developed by the siblings' caseworkers, foster parents, and the children (seven years of age and older) within 30 days after award of temporary custody of the siblings . . . the sibling visitation plan shall specify the duration of siblings visits and may also include the location and supervision to be provided for visits. A brief statement of the reasons for selecting the frequency and duration of sibling visits as specified in the visitation plan shall also be recorded in the plan.

The Review and Revision of Visiting Plans

Good practice requires that, as the child's and the family's situations change, the visit plan is revised. Typically, the states require that the visiting plan is reviewed along with the review of the case or permanent plan for the child and, when indicated, revised.

Documentation of Visiting

Great variation exists in the states' requirements regarding information about visits that should be documented in case records and/or the agency's management information system. Although more than three-quarters of the states (78.4%) required that the visiting plan be included in the case record, less than one-third (29.7%) required that the actual visit participants be documented. Even fewer required documentation of actual visit frequency, length, or location, problems or difficulties occurring in visits, why visits did not occur, or observed visit interactions.

Who May Participate in Visits

Almost three-quarters (73.0%) of the states responding address *who* may participate in visits in their policies. Although the language varies, the majority emphasize that parents and siblings may visit. Nineteen states specifically require visits between children in care and siblings placed separately, a right recognized by some courts (Elstein, 1999). Most states' policies also include the child's relatives, friends, and former caregivers as potential visitors. To illustrate, Louisiana's policy states that

the assessment should identify parents, grandparents, siblings, and other relatives or adults in a surrogate parental role with whom the child has an established and significant relationship to the extent that loss of the relationship would cause substantial harm to the child and the preservation of the relationship would otherwise be in the best interest of the child.

Frequency of Visits

As noted above in this report, frequent visiting by parent(s) has been strongly associated with children's permanency outcomes. Seventy percent of the responding agencies provide guidance regarding the frequency of visits between children in care and their families. The majority specified a minimum visit frequency. For example, Alabama's policy states: "Daily visits with the parent(s) and other family members(s) will be encouraged. At a minimum, the team will encourage weekly visits with the parent(s) if the permanency goal is for the child to return home." Nine states recommend or require visits at least weekly, six biweekly, and four monthly. The other seven specify only that visits should occur "regularly" or "as frequently as possible."

Visit frequency, as noted in the discussion above, has consistently been found to be associated with children's well-being in care and with achieving the outcome of reunification. Therefore, defining minimum visit frequency is a critical component of visiting policy. As Kuehnle and Ellis (2002) emphasize:

If an attachment bond is to be maintained between parents and their children in dependency [out-of-home placement] cases, a one-month visitation time frame is not advised. Because physical proximity is the key goal of the attachment system for infants and toddlers, and availability is the goal for other children, how could children of any age possibly maintain an affectional or attachment bond with a parent he or she visits every 30 days, with no contact? . . . In family court [with regard to divorce and custody cases], attorneys and mental health professionals would be outraged if a child were kept from all contact with a parent for weeks, let alone months. In dependency court, why is this tolerated? . . . If maltreating parents and their dependent children are going to be reunited, the quality of their relationship needs to be enhanced through stable and nurturing contact, rather than diminished further through absence. (p. 69)

The majority of the responding states (51.4%) also specifically require visits between siblings in placement. Most of these, however, do not specify a minimum visit frequency, stating either that visits should be "frequent and regular," "as frequent as possible," or other non-specific language. One state requires that siblings visit at least weekly, three bi-weekly, one monthly, and one quarterly.

Responsibilities Regarding Visits

Almost two-thirds (62.2%) of the responding states' policies outlined the responsibilities of agency staff regarding visits. Less than half (40.5%), however, outlined the responsibilities of either parents or caregivers.

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Case Manager/Caseworker Responsibilities

In all responding states, the person who carries primary responsibility for assuring that the visit plan is developed, implemented, and revised as needed is the case manager/caseworker. However, great variation exists among the states with regard to the degree of specificity provided in policy and procedures regarding the caseworker's responsibilities and the agency services that the caseworker should either provide or facilitate. Oklahoma's policy, for example, states that "parent-child visitation is a high priority of worker responsibilities" and identifies the worker's responsibilities as collaboratively designing the visiting plan for parents, siblings, and others and distributing copies to all parties; supervising visits; evaluating requests for visits from relatives or others; informing parents of their visit-related responsibilities and of the potential consequences of not adhering to the visiting plan; discussing failure to visit with parents to determine the cause; discussing changes needed to make visits more satisfactory with parents, placement provider, child, and appropriate professionals and designing a plan of action to correct situations when needed; visiting privately with the child to assess his/her feelings and wishes regarding visits; and documenting required information regarding visits in the case record.

Additional responsibilities described in other states' policies include helping the parents plan visit activities; observing and assessing visit interactions; informing foster parents of problems occurring during a visit that may affect the child's behavior; helping the foster parent participate in developing the visiting plan; educating the foster care provider regarding the needs of the child and family for visiting; providing or arranging for transportation of the foster child, family or friends to the visit; attempting to resolve problems related to visits; helping to promote and/or coordinate visits; assisting with child or adult care, housing or meals; discussing with parents a recommendation to change or suspend visits; providing conflict resolution and mediation services relating to visiting; and assisting parents in addressing causes for limitations of visits.

In some instances, policy states what the caseworker/case manager will not do with regard to visits. For example, California policy asserts that "the social worker shall not arrange unsupervised visits, unless the court orders unsupervised visits, if the child has been removed pursuant to a finding of 'severe physical abuse' as provided for in Welfare and Institutions Code Section 300(e)."

Parental Responsibilities

As noted above, the majority of responding states' policies do not address parents' responsibilities regarding visits. Even when addressed, policies often simply state that parents are to visit as scheduled. Some policies further elaborate. For example, Maine's policy states

In all visitation situations there are certain responsibilities for which a parent should be held accountable. These include ensuring the emotional and physical safety and well-being of his or her child; providing his own transportation whenever possible . . . ; calling as far in advance as possible to cancel visits so a child may be less likely to feel rejection and

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disappointment from a no-show visit; planning an activity to participate in with the child during the visits; taking the parental role during interactions with his or her child; expect and respond to direction from the visit supervisor when the visits are supervised; follow the pre-established guidelines and rules for visitation.

Sanctions when parents do not visit as planned. The majority of the responding states' policies (75.7%) do not identify the sanctions, which may or should be applied when parents do not maintain visits as planned. Those states that do identify sanctions emphasize notification of parents of the consequences of non-cooperation. For example, Illinois policy states that

the responsible agency shall arrange for parent-child visits and shall advise parents that repeated failure to visit according to the visiting plan shall be considered a demonstration of a lack of parental concern for the child and may result in the Department seeking a termination of parental rights.

Foster Parent Responsibilities

The majority of states also do not address caregiver responsibilities related to visiting. Among those that do, the most typically stated is the responsibility to assist with transportation of the child to visits and/or to support visits and/or to permit visits in the foster home as illustrated by Massachusetts policy:

The foster/adoptive family agrees, for each [child] placed in her/his home, to permit and support visits between the child and the child's parents and/or siblings as recommended by the Department, both within and outside the foster/adoptive family home.

Tennessee requires foster parents to be "actively involved in coordinating with birth parents in arranging visitation as stipulated in the established visitation schedule" as well as to "support child's visitation with relatives as outlined in the permanency plan and report any changes in the child which seem to relate to the visit." North Dakota requires that foster parents "shall inform case manager/agency of any problems, reactions, and/or behavior of a child after return from a visit." New Jersey's policy states that

The foster parent is expected to accept and encourage contacts between the child and his parent and siblings, and provide the child with emotional support even when the contacts with his parent and siblings are disrupting or confusing to the child. The foster parent can help the case manager who assesses case progress by documenting the child's behavior after a visit ... the foster parent is expected to cooperate by

- supporting the child's contact with his parent and siblings;
- having the child ready for each contact;
- having clothing packed for overnight visits;
- providing transportation or a place to visit when agreed to in the Visitation Plan;
- helping the child accept each separation from his parent following contact;
- reporting the child's reactions after contacts with his family to the case manager; and
- notifying DYFS of any unplanned contacts between the child and the parent, or between the foster parent and parent.

Right to Contact: Protections and Limitations

That contact between children in care and their families is a right is clearly stated in a number of states' policies. Oregon's policy, for example, states that "the children, their parent(s), and their siblings(s) have the right to visit each other while the child(ren) is in substitute care." Oklahoma policy similarly states that visiting is a right for children and their families and further clarifies this in a brochure titled *Away from Home, A Parent's Guide to Out-of-Home Placement* by including, as a specific protection: "...to request visitation with your child. You and your Child Welfare worker together will decide how often, when, and where, unless those decisions are court ordered." The brochure further states that parents may ask in writing for a case review of "the right to visitation with the child when the child has been removed."

Safeguards to protect this right to contact are identified in many of the states' policies. These include statements of the circumstances in which visits may be limited or terminated and procedures for doing so; clarification of procedures to be followed when changes are made in visit plans; the process for appeal for parents who disagree with changes in the visit plan; and the prohibition of using visits as a reward or punishment.

Circumstances in Which Visits may be Limited or Terminated

More than one-half (56.8%) of the responding states identify those circumstances in which visits may be limited or terminated. At minimum, states require that the reasons for limiting or terminating visits be documented in the case record. Policies/procedures in most of the responding states require a court order for these actions. To illustrate, Washington policy states "Visitation may be limited or denied only if the court determines that such limitation or denial is necessary to protect the child's health, safety, or welfare." New York's policy states

- (a) Except as otherwise authorized herein, parental visitation shall not be terminated or limited by a social services official having care and custody of the child, or by another authorized agency acting on his behalf, except by court order in a proceeding in which the parent or guardian was a party.
- (b) Visitation is to continue until such a court order is obtained, except in cases of imminent danger to the child's life, health and safety.
- (c) In cases of imminent danger to the child's life, health and safety, the authorized agency may terminate or limit visitation . . .
- (d) Subdivisions (a) -(c) of this section do not apply if the parent or guardian agrees in writing to the termination or limitation of visiting.

Procedures for Changing Visit Plans

Only slightly more than one-third (35.1%) of the responding states' policies provide specific procedures to be followed when changes are made in visit plans. To illustrate, North Carolina's policy states "In any instance in which there are circumstances that necessitate a change in the Visitation Plan, the parents must be notified and a new agreement developed with them." Kentucky policy states that

any ongoing changes in visitation require a new visitation agreement. . . Federal regulations require that parents and children be involved in decisions that affect their relationship by providing notice of the right to the Fair Hearing procedure; the intent to change case plans, services, visitation or placement; and any court proceeding.

Eight states' policies include procedures for parents who disagree with changes in the visit plan.

Use of Visits to Reward or Punish

Although it would be consistent with recognition of family members' right to contact, very few responding states (13.5%) emphasize that visits cannot be used as either a punishment or a reward. For example, Ohio's policy states "Withholding of visits shall never be used as a threat or form of discipline to the child or to control or punish the parent for failure to work with the agency or other community providers."

Wisconsin Administrative Code asserts, "No foster child may be punished by being deprived of meals, mail or family visits," and Missouri policy states "visitation should never be used as a reward or punishment. Continued contact between the child and his family is essential to maintaining and strengthening family bonds." Similarly, Arizona policy declares, "Visitation plans must never be used as a reward or as a punishment. Changes in visitation arrangements shall be directly related to the ongoing risk and family assessment." Wyoming's policy notes that visiting shall not depend upon parents having attended counseling, followed the case plan agreement, or paid child support.

Where and When Visits Should or May Occur

Slightly more than one-half (54.1%) of the responding states identify *where* visits should or may occur. However, only 13.5% address *when* visits should or may occur. Most policies addressing visit location emphasize the importance of locating visits in the least restrictive or most homelike environment. This emphasis is consistent with the conclusions drawn from a recent study of how parents and children negotiate the complexities of visiting. Haight, Black, Workman, and Tata (2001) report that

overall, mothers were highly interactive during visits, engaging their children in sustained episodes of a variety of mutually involving activities generally associated with adequate parent-child relationships and positive child development outcomes. It is important to note, however, that the visits described in this study occurred in a neutral environment with welcoming supervisors, an abundance of age-appropriate toys, and snacks . . . It seems unlikely that the positive parenting we observed would be present in more stressful, less optimal visiting contexts. (p. 336)

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Consistent with this emphasis, Illinois' policy states that when the permanency goal is return home, a visiting plan shall

specify visiting in the home of the child's parents, if consistent with the safety and well-being of the child. When visits in the home of the child's parents are not consistent with the child's safety and well-being, visits shall be in the most homelike setting possible. Office visits are acceptable if structure is necessary to evaluate or protect the child.

Indiana's policy also emphasizes a home-like setting:

If possible, the visitation is to take place at a location that will produce the most interaction between parent and child. A more home-like setting; i.e., the parental home or foster family home, generally will provide the best environment for interaction. In choosing the location, certain factors are to be taken into consideration:

- a) Suitability for developmentally related activities; (e.g., does the site allow for positive interaction conducive to the child's development?);
- b) Legal parents' attitudes and feelings about the child's foster parents, and their ability to handle contact with one another;
- c) Foster parents' interest, willingness, and capacity to be involved in parent-child contacts as well as their feelings and attitudes toward the child's legal parents.
- d) Factors that might preclude visitation taking place in the legal or foster parents' homes;
- e) Consideration for the child's physical safety and emotional stability.

Kentucky's policy actively discourages visits in the agency office:

Visits may be held in the home of the parents, relatives, or foster family when feasible. When this is not feasible, neutral sites such as parks or shopping malls may be selected . . . Any visits held in the [agency] offices shall receive prior approval of the district manager unless the office was requested by the family or suggested by the court.

A few states' policies also recommend the times (days of the week or the time of day) during which visits may be scheduled: "In developing a child-family contact plan consideration shall be given to . . . the child's school schedule; . . . the parent(s)' work and treatment obligations" (Oregon). Illinois' policy states that "Visits are to be scheduled whenever possible on days and during hours that will not cause child(ren) or youth to miss school, pre-school, early intervention program, or other school activities in which the child(ren) may be participating."

How Soon after Placement Children, Parents and Siblings Should Visit

To assure that the benefits of visiting are not delayed, many of the responding states' policies (43.2%) specify that a visit between the child and parent(s) must occur within the first month of placement or sooner. Seven require that the visit must occur within the first week following placement. For example, South Carolina's policy states

Within three working days of placement, the following should be done: (c) unless contrary to the welfare of the child, arrange at least one [caseworker] visit with the child and one visit between the child and parents, siblings, or other significant adults to be held during the first week of placement.

Similarly, Louisiana's guidelines assert that

a child placed in foster care usually needs to see his family immediately after placement, due to his feelings of abandonment and loss. The child needs reassurance that his parents have not disappeared. The visit shall be held within five days of placement, except in special circumstances as given in examples that follow.

Whether Visits Are Supervised and By Whom

Policies regarding supervision of visits range broadly, from those that require that all visits be supervised initially and at periodic intervals to those that state that supervision should occur only when required for child protection or for other specific purposes. To illustrate the former, Maine's policy requires that

the initial visit between a child and parent should be supervised by the caseworker whenever possible as it serves as a critical piece of the assessment process. Subsequent visits should be supervised by the caseworker at least once every three months in order to have a first-hand account of the interaction between the family members and to reassess the visitation plan.

Idaho's policy similarly states that "At all times, safety of the child(ren) should be ensured during visits by developing a plan which provides a higher level of supervision initially with decreasing supervision as warranted."

Many states identify situations in which supervision of visits is required. For example, New Hampshire policy states that

Visits must be supervised if it has been determined that the child may continue to be at risk if left unsupervised with the visiting person. In making this determination consider the following factors: (a) The age of the child; (b) Severity and chronicity of the abuse/neglect; (c) The potential for abduction of child; (d) Emotional reactions of child; and (e) Progress of parents who are learning new skills.... In cases of intra-familial sexual abuse, Munchausen by proxy, and/or severe physical abuse, in which mental health providers are in agreement that a supervised visit may take place

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between the child and the perpetrator, the visit must initially be supervised by a Child Protective Services Worker or a mental health provider involved in the case.

Some states emphasize that the reasons for supervision of visits extend beyond the child's safety and include assessment and parent education:

The parent or other visitors and the Division representative, Case Manager, shall discuss the need for supervised visits at the time the visitation plan is negotiated or renegotiated. Unless the Division or the Family Court finds a need for supervision, visits shall be unsupervised. If visits will be supervised, the plan shall contain a statement of the reason supervision is required. Reasons for the supervision of visits may include facilitating interactions between the parent and the foster child; modeling positive parenting behavior; mediating conflict between the parent and the foster child; and providing protection for the foster child" (New Jersey).

Haight et al. (2001) emphasize the importance of "periodic observations of visits by social workers," noting that "in reality the majority of visits are not attended by professionals. Yet, much can be learned from disciplined, systematic observations, particularly in the context of emotionally charged interactions" (pp. 336-337).

Consistent with a recognition of the multiple purposes of visit supervision, Oregon policy designates two types of visits – *structured family visits*, meaning "visits in the presence of a designated third party for the purpose of evaluation and assessment of child-family interaction, and/or the teaching of parenting skills," and *supervised visitation*, meaning "a visit that includes a designated third party to protect the emotional and physical safety of a child." Oregon policy further states that "supervision of visits shall be conducted with the full knowledge of the participants and should be culturally relevant and language appropriate."

Arizona's policies provide a further degree of specificity in describing guidelines regarding visit site and length, participants, and management of various behaviors and difficulties for *Highly Structured/Strict Supervision*, in which the child may not be removed from the presence of the supervisor; *Moderate Supervision*, in which the case manager may delineate degree and type of supervisor activity on a case by case basis; and *Relaxed and/or Intermittent Supervision, Including Overnight Visits*, in which the supervisor may be present for a portion of the visit.

A range of persons are identified in states' policies as appropriate visit supervisors, including public agency staff and other community service providers, the child's relatives, foster parents and other caregivers, student interns, clergy, and parent aides.

Visiting Activities

Although few states' policies and procedures specifically address the types of activities that should or may occur during visits, some do provide guidelines or recommendations. To illustrate, Georgia policy declares that "Ideally, visits should involve parents in routine activities of parenting, such as attending his/her child's school functions, special occasions and medical check-ups, as well as engaging in feeding, diapering, and other direct child care responsibilities." In an appendix to policy, Texas states that the worker should

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help the parents manage visits to benefit the child. Plan activities with the parents for the visits. Plan activities that will ease anxiety and provide mutual gratification for the parent and the child. In most cases, surprises – even pleasant ones – may increase a child’s anxiety about what to expect.

In discussion of relevant visit activities, some states include excerpts of “Developmentally Related Visit Activities” or other sections from *Family Visiting in Out-of-Home Care: A Guide to Practice* (Hess & Proch, 1988).

Visit Duration

The component of visit planning least addressed in the states’ visiting policies is duration. Only four responding states specifically address visit duration. Oklahoma’s policy asserts that “Initial visits of short duration, one to two hours, allow parents to experience small successes . . . Successful unsupervised day long, overnight and weekend visits are completed prior to planning for the return home.” Colorado’s policy similarly states, “Visitation between the child and his/her family shall increase in frequency and duration as the goal of reuniting the family is approached.”

Visiting in Specific Situations

A very limited number of states include statements in policy and procedures regarding visiting between children and parents when a parent is incarcerated or in residence in a treatment program or other institutional setting, when sexual abuse or domestic violence has been alleged/found to have occurred, and when termination of parent rights has occurred. Examples of policies addressing these situations follow.

When a Parent is Incarcerated

South Carolina visiting policy outlines a number of procedures to be followed in case planning with an incarcerated parent whose child is in foster care, including that the foster care worker “arranges/provides visitation/parental involvement if appropriate. Visitation may be discontinued only when the court sanctions this step.”

When a Parent is in an Institution

Similarly, South Carolina’s policy states that when working with parents who are institutionalized, the foster care worker “encourages parent(s) to correspond with agency and their child whenever possible and appropriate, arranges/provides visitation if appropriate . . . and assist in the parent’s continued contact correspondence and visitation with the child.”

Domestic Violence

With regard to parent-child contact “in domestic violence circumstances,” Oregon’s policy states that consideration shall be given to

measures that meet the safety needs of the child and non-offending parent . . . When necessary, measures shall include, but are not limited to, arranging different visiting schedules, a safe drop-off/pick-up location, and safety plan in case the batterer unexpectedly appears.

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In discussion of *Visitation Decisions*, Maine's policy addresses domestic violence as follows:

Domestic violence cases are complex and can affect children in a profound way on an emotional level even if they are not physically harmed. In planning visits one needs to take into account the child's need and desire to see both parents as well as the child's view of each parent. Parents from homes where domestic violence occurred will not visit the child together until such a time that intervention and treatment specialists determine such visits pose no threat to any family member. When domestic violence is present in a family situation in combination with other forms of abuse, the impact on a child can be severe. An assessment of the situation needs to take into consideration that the child's experience of the domestic violence could significantly differ from what the adult(s) experienced.

Sexual Abuse

In the same section, Maine policy states:

In Sexual Abuse cases visits between the abuser and a child should not commence unless the therapist for the child recommends that visits would help the child in the healing process and the therapist for the offender believes the visit would be therapeutically beneficial. It is preferable for these visits to occur with the child's therapist or that a person is present in the visit whom the child has a supportive relationship with.

Termination of Parental Rights

Several responding states' policies specifically provide that children may visit with their parents and families during the period following petitioning for termination of parental rights. For example, Rhode Island's policy states that

any duty or obligation on the part of a licensed or governmental child placing agency to make reasonable efforts to strengthen the parental relationship shall cease upon the filing of a petition under this section. This provision shall not be construed and is not intended to limit or affect in any way the parents' right to see or visit with the child during the pendency of a petition under this section.

Others provide for visiting when the rights of the parents have been terminated. For example, in *Instructions to Staff* Oklahoma policy states

In some cases, contact and visitation of an older child or teenager and a parent whose rights were terminated previously may be appropriate. Teens and older children in other permanent placements besides adoptive homes may desire a relationship with a parent who has made changes and matured since parental rights were terminated.

Implications of Findings and Recommendations

Based upon survey responses and a content analysis of the policies and procedures forwarded by states participating in this study, this study has identified 30 discrete categories of requirements and/or guidance relevant to visiting between children in care, their families, and others. These are listed in the Appendix. All 37 responding states have policy in place regarding children in placement, and the majority of those address not only visiting between children and their parents but also visiting between siblings separated while in care.

As noted earlier in this report, some states' policies and guidelines are extensive and address the majority of content categories in the Appendix. These include Alabama, Illinois, and Pennsylvania. A few states' policies are quite brief and offer very little guidance to agency staff and families regarding visiting of children in care. Such policies permit broad staff discretion and most likely result in visiting receiving lower priority than would be desirable given its multiple, well-documented benefits. Other states are somewhere between these extremes on the continuum.

Three findings are of great concern with regard to the states' current visiting policies. The first is that the majority of responding states addresses only seven of the 30 content categories. Thus, in a sizable proportion of the responding states, policies do not address critical areas of visit planning, implementation, and evaluation. As a consequence, the protection of family relationships and the achievement of other benefits of family visiting of children in care most likely occur inconsistently. In the majority of responding states, it appears that visiting receives less attention than would be optimal.

A second serious concern is that in many instances when these content areas are addressed in policy, the statements are very general and provide no or limited guidance, such as "visits should occur as frequently as possible." Thus, sufficiently clear standards for practice are not provided.

Thirdly, the differences found among states in their guidance, when guidance is provided, are also a concern. For example, although nine states recommend or require that children in care be provided visits with family members at least weekly, the minimum recommended visit frequency for children in care and their families in four other states is only monthly. Assuming that caseworkers schedule visits as frequently as required, children in the first nine states would be provided four visits per month, or 36 visits per year, while children in the other four states would have only one visit per month, or 12 visits per year. Thus, these policy differences almost certainly affect children's well-being, family relationships, and progress toward permanence. Children in care in seven states are permitted visits "regularly" or "as frequently as possible," phrases that can be interpreted very broadly by staff. Given the solid research findings documenting the relationship between visit frequency and permanence for children, it is of particular concern that 11 (29.7%) of the responding states' policies are silent on the critical issue of visit frequency.

The findings of this study regarding variations in the states' visiting requirements suggest that an organized effort to define standards for visit frequency and other components of

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visiting practice is warranted. Attention should also be given to addressing the obstacles, including lack of resources that undermine the implementation of visiting policies. As is true in any area, good policy is necessary, but not sufficient, to achieving good practice.

In addition, further research regarding visiting and the effects of varying visiting practices is needed. Despite the consistently strong findings regarding the positive influence of frequent visiting upon family reunification, little has been documented about the effects of other aspects of visiting policy, planning, and practice.

These findings provide useful information regarding the nature of visiting policies in the majority of states. Using the Appendix as a guide, state foster care managers and others can review their states' current policy, identify policy gaps (i.e., content areas not addressed), areas in which the state's policy provides little specific guidance, and areas in which the current policy may need revision to assure that it reflects the agency's current priorities and practices. The review of excerpted examples in this report as well as of state policies identified as illustrative of "good policy" with regard to extensive and specific guidance may be useful in that effort.

References

- Beyer, M. (1999). *Parent-child visits as an opportunity for change*. National Resource Center for Family Centered Practice, Prevention Report #1.
- Blumenthal, K. & Weinberg, A. (1983). Issues concerning parental visiting of children in foster care. In M. Hardin (Ed.), *Foster children in the courts* (pp. 372-398). Woburn, MA: Butterworth.
- Borgman, B. (1985). The influence of family visiting upon boys' behavior in a juvenile correctional institution. *Child Welfare*, 64(6), 629-638.
- Cowan, E., & Stout, E. (1939). A comparative study of the adjustment made by foster children after complete and partial breaks in continuity of home environment. *American Journal of Orthopsychiatry*, 9, 330-338.
- Davis, I., Landsverk, J., Newton, R., & Ganger, W. (1996). Parental visiting and foster care reunification. *Children and Youth Services Review*, 18(4/5), 363-382.
- Elstein, S. (1999). Making decisions about siblings in the child welfare system. *ABA Child Law Practice*, 18(7), 115.
- Fahlberg, V. (1979). *Attachment and separation*. Michigan Department of Social Services.
- Fanshel, D. (1982). *On the road to permanency*. New York: Child Welfare League of America.
- Fanshel, D., & Shinn, E. (1978). *Children in foster care: A longitudinal investigation*. New York: Columbia University Press.
- Farmer, E. (1996). Family reunification with high risk children: Lessons from research. *Children and Youth Services Review*, 18(4/5), 287-305.
- Haight, W., Black, J., Workman, C., and Tata, L. (2001). Parent-child interaction during foster care visits: Implications for practice. *Social work*, 46(4), 325-338.
- Haight, W., Kagle, J., & Black, J. (2003). Understanding and supporting parent-child relationships during foster care visits: Attachment theory and research. *Social Work*, 48(2), 195-207.
- Hess, P. (1981). *Working with birth and foster parents*. Knoxville, TN: University of Tennessee, School of Social Work Office of Continuing Social Work Education.
- Hess, P. (1982). Parent-child attachment concept: Crucial for permanency planning. *Social Casework*, 63(1), 46-53.
- Hess, P. (1987). Parental visiting of children in foster care: Current knowledge and research agenda. *Children and Youth Services Review*, 9, 29-50.

Visiting Between Children in Care and Their Families: A Look at Current Policy

- Hess, P. (1988). Case and context: Determinants of planned visit frequency in foster family care. *Child Welfare*, 67(4), 311-326.
- Hess, P. & Proch, K. (1988). *Family visiting of children in out-of-home care: A practical guide*. Washington, D.C.: The Child Welfare League of America.
- Hess, P. & Proch, K. (1993). Visiting: The heart of reunification. In B. Pine, R. Warsh, and A. Maluccio, (Eds.) *Together again: Family reunification in foster care* (pp. 119-139). Washington, D.C.: Child Welfare League of America.
- Kuehnle, K. & Ellis, T. (2002). The importance of parent-child relationships: What attorneys need to know about the impact of Separation, *Florida Bar Journal*, 76 (9), 67-70
- Lawder, E., Poulin, J., & Andrews, R. (1985). *185 foster children five years after placement*. Philadelphia: Research Center Children's Aid Society of Pennsylvania.
- Littner, N. (1975). The importance of the natural parents to the child in placement. *Child Welfare*, 54, 175-181.
- Mapp, S. (2002). A framework for family visiting for children in long-term foster care. *Families in Society*, 83(2), 175-182.
- McFadden, E. J. (1980). *Working with natural families, instructors' manual*. Ypsilanti, MI: Foster Parent Education Program.
- Mech, E. (1985). Parental visiting and foster placement. *Child Welfare*, 64(1), 67-72.
- Milner, J. (1987). An ecological perspective on duration of foster care. *Child Welfare*, 66(2), 113-123.
- Proch, K. & Howard, J. (1986). Parental visiting of children in foster care: A study of casework practice. *Social Work*, 31, 178-181.
- Sherman, E., Neuman, R., & Shyne, A. (1973). *Children adrift in foster care*. New York: Child Welfare League of America.
- Weinstein, E. (1960). *The self-image of the foster child*. New York: Russell Sage Foundation.
- White, M. (1982). Promoting parent-child visiting in foster care: Continuing involvement within a permanency planning framework. In P. Sinanoglu & A. Maluccio (Eds.) *Parents of children in placement: Perspectives and programs* (pp. 461-475). New York: Child Welfare League of America and the University of Connecticut.

Appendix

Checklist of Content Areas Currently Addressed in Policies Regarding Visiting of Children in Care by Family Members and Others

Included in state's policy?	Specific guidance given?	Content Area
_____	_____	The purposes of visiting
_____	_____	Written visit plans for parents, children, and siblings
_____	_____	When a plan for visiting must be developed
_____	_____	Process of development of visiting plans
_____	_____	Content of visiting plans
_____	_____	Review and revision of visiting plans
_____	_____	Documentation of visiting
_____	_____	Who may participate in visits
_____	_____	Frequency of visits
_____	_____	Responsibilities regarding visits
_____	_____	Case manager/caseworker responsibilities
_____	_____	Parental responsibilities
_____	_____	Sanctions when parents do not visit as planned
_____	_____	Foster parent responsibilities
_____	_____	Right to contact: protections and limitations
_____	_____	Circumstances in which visits may be limited or terminated
_____	_____	Procedures for changing visit plans
_____	_____	Use of visits to reward or punish
_____	_____	Procedure for appeal if a parents disagrees with plan
_____	_____	Where visits should or may occur
_____	_____	When visits should or may occur
_____	_____	How soon after placement children, parents and siblings should visit
_____	_____	Whether visits are supervised and by whom
_____	_____	Visiting activities
_____	_____	Visit duration
_____	_____	Visiting in specific situations
_____	_____	When a parent is incarcerated
_____	_____	When a parent is in an institution
_____	_____	Domestic violence
_____	_____	Sexual abuse
_____	_____	Termination of parental rights

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